

REMARKS

This is a response to the Office Action mailed on November 4, 2010. Claims 1-4 and 6-14 are presented for examination. Claim 5 was previously cancelled without prejudice. Claim 1 is hereby amended to more particularly state that which the Applicant regards as his invention. The drawings have been amended as required by the Examiner. No new matter has been added by these amendments.

Applicant submits that this Amendment After Final Rejection places the application in condition for allowance. These amendments are necessary because of issues raised in the Office action and were not presented earlier because Applicant believed that the prior response placed the application in condition for allowance, for at least the reasons stated in that response.

Drawings

The Examiner required correction of Figs. 1a, 4a, and 7-9 to include a legend such as "Prior Art." These Figures have now been amended in accordance with this requirement, and the amended versions are provided on the drawing sheets attached as Appendix A.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-4 and 6-14 were rejected under Section 112 as failing to comply with the written description requirement. It is clear from the discussion on p. 3 of the outstanding Office action (both in the Rejection and in the Response to Arguments) that the Examiner understandably interpreted the recitation "said time" in the "wherein" clause of claim 1 to refer back to the phrase "at the same time" in the preceding clause of claim 1, and was unable to find support for the claim as thus interpreted.

Instead, "said time" was intended to refer back to "just after the etching-and-collapsing process and just before a following closing process." The present Amendment makes this explicit by reciting:

wherein the tube is kept within said range of diameters *just after the etching-and-collapsing process and just before the following closing process*

(Emphasis added.)

The Office action at p. 3 correctly notes that this limitation is disclosed on page 12 of the application. Applicant submits that with this amendment, it is clear that claim 1 meets the written description requirement. The rejection of claim 1 under Sec. 112 should therefore be

withdrawn. Because claims 2-4 and 6-14 are dependent claims depending from claim 1, the rejections of these claims should also be withdrawn, for at least this reason.

Conclusion

In view of the above, applicants respectfully submit that the present application is in condition for allowance. A favorable disposition to that effect is respectfully requested.

No fees are believed to be due with this submission. Please charge any fee that may be due or credit any overpayment to Jones Day Deposit Account No. 50-3013.

Should the Examiner have any questions or comments concerning this submission, he is invited to call the undersigned at the phone number listed below.

Date: February 4, 2010

Respectfully submitted,



Lawrence R. Gabuzda (Reg. No. 51,711)

JONES DAY

222 East 41st Street

New York, New York 10017

(212) 326-3939

APPENDIX A